

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LYNDA BARNABY and DAVID LEIBOWITZ,

Docket No.: 1: 08-cv-05137 MGC

Plaintiffs,

**ANSWER TO  
CROSS-CLAIMS**

-against-

BALLY'S LAS VEGAS CASINO/HOTEL,  
OTIS ELEVATOR COMPANY, PARBALL  
CORPORATION, and PARBALL CORPORATION  
d/b/a BALLY'S LAS VEGAS,

Defendants.  
-----X

The defendant, OTIS ELEVATOR COMPANY, by its attorneys, GERINGER & DOLAN, LLP, and for its answer to the cross-claims of the defendant, PARBALL CORPORATION d/b/a BALLY'S LAS VEGAS, alleges:

AS TO THE FIRST CROSS-CLAIM

1. Denies each and every allegation contained in the subdivision thereof numbered 39.

AS TO THE SECOND CROSS-CLAIM

2. Denies each and every allegation contained in the subdivision thereof numbered 40.

AS TO THE THIRD CROSS-CLAIM

3. Denies each and every allegation contained in the subdivisions thereof numbered 41 and the following unnumbered paragraph.

WHEREFORE, the defendant, OTIS ELEVATOR COMPANY, demands judgment dismissing said cross-claims, together with the costs, disbursements and legal investigation fees incurred in the defense thereof.

Dated: New York, New York  
August 26, 2008

Yours, etc.,

GERINGER & DOLAN, LLP

By:   
JOHN A. McCARTHY (2972)

Attorneys for Defendant  
OTIS ELEVATOR COMPANY  
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TO: Justin M. Blitz, Esq.  
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PARBALL CORPORATION d/b/a  
BALLYS LAS VEGAS  
350 Fifth Avenue, Suite 5101  
New York, New York 10118  
Your File No.: HARY-1984-E  
(212) 947-4999

CERTIFICATE OF SERVICE

I, John A. McCarthy, hereby certify that on the 26<sup>th</sup> of August, 2008 the foregoing Answer to Cross-Claims has been electronically filed and is available for viewing and downloading from the Electronic Case Filing system of the United States District Court for the Southern District of New York.

Additionally, a copy of the foregoing being served by first class mail with postage pre-paid thereon upon the opposing attorneys:

TO: Justin M. Blitz, Esq.  
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\_\_\_\_\_  
JOHN A. McCARTHY (JAM 2972)